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**Introduced by Senator Burton**

February 21, 2003

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An act to add and repeal Section 51221 of the Government Code, relating to land conservation.

LEGISLATIVE COUNSEL'S DIGEST

SB 898, as introduced, Burton. Soil conservation.

The Planning and Zoning Law authorizes a city or county to adopt ordinances that regulate the intensity of land use and requires every city and county to prepare and adopt an open-space zoning ordinance consistent with an open-space plan that provides for, among other things, the continued availability of land for the production of food and fiber.

This bill would, until January 1, 2015, prohibit any city, county, city and county, or other local governmental agency from zoning or rezoning agricultural land that qualifies as a specified class.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 finding:

3 (a) Soils are a valuable natural resource and should be  
4 conserved and protected.

5 (b) Stewardship of California's rich and productive soils  
6 provides the greatest options for long-term, sustainable economic  
7 growth.

1 (c) The long-term conservation of open space and agricultural  
2 land is critical to the welfare of the people of California.

3 (d) The focusing of development pressures, infrastructure  
4 funding, and investment funds away from agricultural lands will  
5 increase the urban benefits by making more funds available for  
6 development and redevelopment consistent with current zoning.

7 (e) The long-term conservation of agricultural land will benefit  
8 urban areas by ensuring that a steady supply of high quality,  
9 low-cost fresh foods are available to urban residents and by  
10 conserving world-class agricultural soils.

11 SEC. 2. Section 51221 is added to the Government Code, to  
12 read:

13 51221. (a) No city, county, city and county, or other local  
14 governmental agency may zone or rezone agricultural land for  
15 residential or commercial development or any other intensive use  
16 if the agricultural land qualifies as either of the following:

17 (1) The land is designated as prime farmland, unique farmland,  
18 or farmland of statewide importance by the Farmland Mapping  
19 and Monitoring Program of the California Resources Agency.

20 (2) The soils have a rating of Class 1 or Class 2 in the land  
21 capability classification system of the National Soil Survey  
22 Handbook adopted by the Natural Resources Conservation  
23 Service of the United States Department of Agriculture.

24 (b) This section shall remain in effect only until January 1,  
25 2015, and as of that date is repealed, unless a later enacted statute,  
26 that is enacted before January 1, 2015, deletes or extends that date.

